



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

OCT 27 2015

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7014 1200 0000 6123 9712

Mr. Jim Pyrz
Environmental Programs Manager
University of Iowa Oakdale
Waste Treatment, Storage, and Disposal Facility
2260 Old Farmstead Road
Coralville, Iowa 52241

RE: University of Iowa Oakdale Waste Treatment, Storage, and Disposal Facility
Coralville, Iowa
RCRA ID No.: IAT200010924

Dear Mr. Pryz:

Request for Information

On July 30-31, 2015, a representative of the U. S. Environmental Protection Agency (EPA) inspected your facility. The inspection was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA).

My staff has reviewed the inspection report, and your September 9, 2015, response to the Notice of Preliminary Findings (NOPF) and determined that violations of RCRA were documented. The violations noted at the time of the EPA's inspection were addressed. However, we are requesting additional information regarding your facility's compliance status. Enclosed is a list of the addressed violations followed by a list of questions and/or requested information. Also enclosed are instructions to be used in providing your response. Please carefully read and follow these instructions. Your response to this request in accordance with the instructions is required by Section 3007 of RCRA and substantial penalties may result from not complying. Please note that the EPA reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered as a result of the inspection, regardless of whether the violations were subsequently corrected.



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Within thirty (30) calendar days of receiving this letter, please mail your response to: Ms. Deborah Bredehoft, AWMD/WEMM, U. S. Environmental Protection Agency, 11201 Renner Boulevard, Lenexa, Kansas 66219. To request an extension of the time limit, follow the instructions in the enclosure. Please direct all questions concerning this letter to Ms. Deborah Bredehoft, of my staff, at (913) 551-7164.

Sincerely,



Donald Toensing
Chief

Waste Enforcement and Materials Management Branch
Air and Waste Management Division

Enclosures (3)

cc: Mr. Cal Lundberg, Chief, Contaminated Sites Section
Iowa Department of Natural Resources

List of Violations
University of Iowa Oakdale Waste Treatment, Storage, and Disposal Facility
Coralville, Iowa
RCRA ID No.: IAT200010924

1. * Title 40 Code of Federal Regulations (40 CFR) 262.34(c)(1)(i) referencing 40 CFR 265.173(a)
– Failure to keep one satellite accumulation container closed.
2. * 40 CFR 262.34(c)(1)(ii) – Failure to label two satellite accumulations containers with the words “hazardous waste” or other words to identify the contents.

*The above-listed violations were corrected at the time of the inspection.

Requested Information
University of Iowa Oakdale Waste Treatment, Storage, and Disposal Facility
Coralville, Iowa
RCRA ID No.: IAT200010924

1. With regard to the mixed waste stored in the Environmental Management Facility (EMF) Room 125, discussed on page 13 of the EPA's July 30-31, 2015, inspection report, the EPA's inspector makes reference to the mixed wastes being managed under the conditional exemption. There are two exemptions for radioactive materials - the exclusion from solid waste, found at 40 CFR 261.4(a)(4), and the conditional exemption from hazardous waste, found 40 CFR 266, Subpart N. Please state or provide supporting documentation demonstrating how your facility is complying with RCRA:
 - a. state if your facility is utilizing either of the exclusions outlined above (either 40 CFR 261.4(a)(4) or 40 CFR 266, Subpart N) for its mixed wastes;
 - b. if your facility is utilizing either of these exclusions (either 40 CFR 261.4(a)(4) or 40 CFR 266, Subpart N), please provide a narrative, with supporting documentation, demonstrating how your facility is complying with the stated exclusion.
 - c. if your facility is utilizing the conditional exclusion found at 40 CFR 266, Subpart N, please provide a narrative, with supporting documentation, demonstrating how your facility tracks when these wastes cease to be managed under the Nuclear Regulatory Commission and the waste comes into regulation under the RCRA regulations and permit, to ensure that the one year time limit outlined in your hazardous waste permit is not violated for each container of mixed waste; and
 - d. please provide documentation that containers are disposed within the one year time frame outlined within the permit, after the containers are subject to RCRA.
2. With regard to unknown wastes observed in EMF Room 161A that were labeled as "hazardous waste pending analysis," you stated to the EPA's inspector that Haz-Cat testing is performed a few times per year. The location of these containers is documented in photograph 54 of the EPA's July 30-31, 2015, inspection report. Please provide the following information about your management of unknown wastes:
 - a. state how long the unknown wastes are typically held prior to the analysis being performed;
 - b. state if the length of time that unknown containers are stored prior to analysis is tracked;
 - c. if the length of time that unknown containers are stored prior to analysis is tracked, please provide a copy of that documentation;
 - d. state the dates that unknown containers were analyzed for the year prior to the EPA's July 30-31, 2015, inspection;
 - e. state the date that the analysis was completed on the unknowns observed at the time of the EPA's July 30-31, 2015, inspection;
 - f. provide a narrative with supporting documentation demonstrating how, at the time of the EPA's July 30-31, 2015, inspection, your facility ensured that incompatible hazardous wastes are managed in accordance with 40 CFR 265.177.

- g. for each of the containers observed in EMF Room 161A at the time of the inspection, please provide the following information:
 - i. the chemical composition of each of the unknown containers;
 - ii. the completed hazardous waste determination on each container (i.e., the determined waste code);
 - iii. the length of time that each unknown container was stored prior to receiving the analysis necessary to complete the hazardous waste determination; and
 - iv. state if any of the containers in EMF Room 161A were incompatible with other containers in the fume hood at the time of the EPA's July 30-31, 2015.
- 3. With regard to photograph 86 of the EPA's July 30-31, 2015, inspection report, the satellite accumulation container's lid has four holes with four tubes. Additionally, the lid is laying on top of the container's opening rather than being twisted into place. Please provide the following:
 - a. provide a photograph documenting that the container has been closed; or
 - b. a narrative stating how this container is being managed in accordance with the RCRA regulations and your hazardous waste permit.

3007 RESPONSE INSTRUCTIONS

- * Identify the Person(s) responding to this request on your behalf.
- * Address each numbered item separately, and precede each answer with the number of the item to which it responds.
- * For each numbered item, identify all documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the requested item. Provide true, accurate, and legible copies of all such documents. (If information responsive to an item is available but there are no relevant source documents, you must still provide the information.)
- * For each document provided, indicate on the document (or in some similar manner) the number of the item to which it responds.
- * For each numbered item, identify all persons consulted in the preparation of the answer.
- * For purposes of this request, the term "you" or "your" refers to the company, corporation and any officer, principal, agent employee, or any other person(s) associated in any capacity.
- * If information responsive to a requested item is not in your possession, identify the person(s) from whom the information may be obtained.
- * If information that is not known or available at the time you make your response later becomes known or available to you, you must supplement your response.
- * If, at any time after you submit your response, you find that any part of the information you submitted is incomplete, false, or misrepresents the truth, you must notify the EPA immediately.
- * You must provide the requested information even though you consider it confidential information or trade secrets. If you want to make a confidentiality claim covering part or all of the information submitted, identify the material with words such as "trade secret," "proprietary," or "company confidential."
- * The EPA will disclose this information only to the extent and by the means described in 40 CFR Part 2, Subpart B., provided that it qualifies as confidential business information.
- * A request for an extension to the time limit for responding must be in writing and must be postmarked within five (5) calendar days of receipt of this information request. Address it to the person identified in the cover letter to receive your response.
- * Copies of the Code of Federal Regulations may be obtained from the U.S. Government Bookstores or on the Internet at www.epa.gov/epahome/cfr40.htm.
- * This request for information is not subject to the approval requirements of the Paperwork Reduction Act of 1980.
- * The EPA encourages you to conserve resources. Suggested methods include use of recycled paper, printing on both sides (duplex printing), and when possible submitting documents electronically (i.e., email or compact discs). If hard copy submittals are necessary, please do not submit documents in binders.

Not responding to this information request within the stated time limit and in accordance with these instructions may subject your facility to an enforcement action which could include the imposition of penalties of up to \$37,500 per violation, per day of continued noncompliance. Providing false, fictitious, or fraudulent statements or representations could lead to criminal penalties.